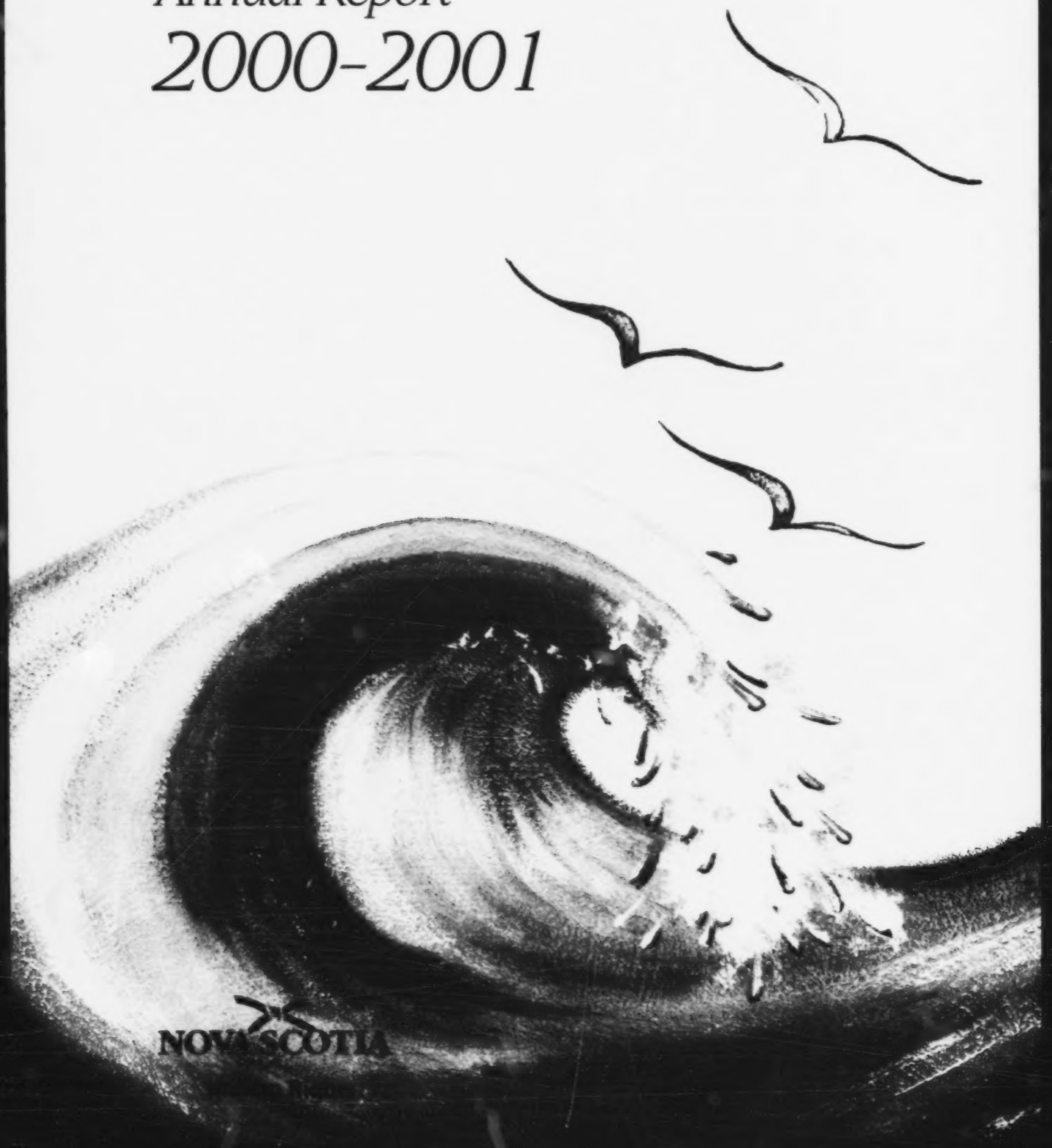
Human Rights For Everyone Always.

# Human Rights Commission
## Annual Report
# 2000-2001



NOVA SCOTIA

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The Honourable Myra A. Freeman

Lieutenant Governor of Nova Scotia

May It Please Your Honour:

I have the honour to submit herewith the Annual Report of the Nova Scotia Human Rights Commission for the fiscal years beginning April 1, 1999, to March 31, 2000, and April 1, 2000, to March 31, 2001.

Respectfully submitted,

Michael G Baker

The Honourable Michael G.Baker, Q.C.
Minister responsible for the administration of the Human Rights Act

The Honourable Michael G. Baker, Q.C.

Minister responsible for the administration of the Human Rights Act

Province of Nova Scotia

Sir:

I have the honour to present to you the Annual Report of the Nova Scotia Human Rights Commission for the fiscal years beginning April 1, 1999, to March 31, 2000, and April 1, 2000, to March 31, 2001.

Respectfully submitted,

Mayann Francis

Mayann E. Francis
Executive Director
Nova Scotia Human Rights Commission

# Who We Are and What We Do

The Nova Scotia Human Rights Commission is an arms-length provincial government commission that is charged with the administration of the province's Human Rights Act.

Nova Scotia's Human Rights Act protects people from discrimination. Under the act, you cannot be discriminated against on the basis of the following:

- age
- race or colour
- ethnic or national origin
- Aboriginal origin
- religion or creed
- sex (gender and pregnancy)
- sexual orientation
- physical or mental disability
- irrational fear of illness or disease
- marital status
- family status
- political affiliation
- source of income
- your association with any of the above

The act protects individuals from sexual harassment, which is a form of discrimination. The act also protects individuals from retaliation for expressing an intention to make a human rights complaint, for filing a human rights complaint, or for cooperating with the complaints process.

The protected areas of discrimination include:

- employment
- services and facilities
- housing
- purchase or sale of property
- membership in a business, professional, or trade association
- volunteer public service
- publication, broadcast, or advertisement

Commission staff investigate complaints of discrimination. As well, they provide programs and services that promote diversity and seek to prevent discrimination. These programs and services can be tailored for workshops in the workplace or for school presentations.

Please visit our web site at <http://gov.ns.ca/humanrights/> for more information on our activities.

Please call (902) 424-4111 or 1-877-269-7699 (toll-free in Nova Scotia) or e-mail hrcinquiries@gov.ns.ca for more information.

# Staff 1999-2000

**Chair**
James Dewar, Q.C.

**Executive Director's Office**
Mayann E. Francis, Executive Director (since August 1999)

Maureen Shebib, Acting Executive Director (August 1998–August 1999)

**Legal Division**
Maureen Shebib, Legal Counsel

Julie Vandervoort, Article Clerk

**Race Relations and Affirmative Action Division**
Viki Samuels, Coordinator

Lynn Hartley, Human Rights Officer

**Investigation and Compliance**
Gerald Boudreau, Human Rights Officer

Francine Comeau, Coordinator

Herb Desmond, Human Rights Officer

Bill Grant, Human Rights Officer

Gordon Hayes, Human Rights Officer, Sydney

Marie Paturel, Human Rights Officer

Martin Schulze-Allen, Human Rights Officer, Digby

Lynn Hartley, Human Rights Officer in the Central Office, responds to an inquiry.

**Communications and Public Education Division**
Lori MacLean, Coordinator

**Administration and Personnel Division**
Philippe Comeau, Coordinator

**Support Staff**
Beverley Bonvie, Secretary, New Glasgow

Jennifer Downey, Central Registry Clerk

Sandra Everett, Secretary, Digby

Irma Farmer, Secretary

Pat Grosse, Executive Secretary

Sally MacDonald, Secretary, Sydney

Lois Smith, Executive Secretary

Jackie Sparks, Receptionist

Irma Farmer works as a secretary in the Central Office.

# Staff 2000-01

Martin Schulze-Allen, Human Rights Officer, Digby Regional Office

**Chair**
James Dewar, Q.C.

**Executive Director's Office**
Mayann Francis, Executive Director
Michael Noonan, Special Assistant to the Executive Director

**Legal Division**
Maureen Shebib, Legal Counsel (in-house)
Michael J. Wood, Q.C., Burchell Green Hayman Parish, Legal Counsel

**Race Relations and Affirmative Action Division**
Viki Samuels, Coordinator
Roberta McIntee, Human Rights Officer, Aboriginal Outreach
Adria May, Public Education Officer
Tomoko Omori, Co-op Student
Barb Mysko, Volunteer

**Investigation and Compliance Division**
Francine Comeau, Coordinator
Glenn Dawe, Human Rights Officer
Herb Desmond, Human Rights Officer
Bill Grant, Human Rights Officer
Lynn Hartley, Human Rights Officer
Gordon Hayes, Human Rights Officer, Sydney
Michael Lambert, Assistant to the Investigation and Legal Divisions
Marie Paturel, Human Rights Officer
Martin Schulze-Allen, Human Rights Officer, Digby
Brian Sharpe, Assistant to the Investigation and Legal Divisions

**Support Staff**
Beverley Bonvie, Secretary, New Glasgow
Jennifer Downey, Central Registry Clerk
Sandra Everett, Secretary, Digby
Irma Farmer, Secretary
Pat Grosse, Executive Secretary
Sally MacDonald, Secretary, Sydney
Lois Smith, Executive Secretary
Jackie Sparks, Receptionist

Viki Samuels, Coordinator of Race Relations and Affirmative Action, and Michael Lambert, Assistant to the Investigation and Legal Divisions

## Central Office Move and Open House

Honourable Michael G. Baker, Q.C., Minister of Justice, gives remarks at the Commission's Open House in January 2001 as staff, commissioners, and visitors look on.

On October 15, 2000, the Central Office of the Nova Scotia Human Rights Commission moved from Nelson Place on Spring Garden Road to 6th Floor of the Joseph Howe Building at 1690 Hollis Street, Halifax. The new offices are conveniently located in the downtown area and serve the needs of clients by maintaining privacy and confidentiality.

In January 2001, the Commission invited the public to visit the new office. Staff gave tours and refreshments were served. Activities included a presentation on disabilities in the workplace by Commissioner Ted Morrison and videos on various human rights subjects.

# Commissioners

**Vicki Brown, White's Lake**

Ms. Brown is the director of the Shambhala Elementary School and is currently the advocacy coordinator of the Metro Food Bank Society. She is the past chair of the Halifax Regional School Board and is an active member of the Bayside Baptist Church and the Atlantic Baptist Fellowship.

**Norbert Comeau, Meteghan**

Mr. Comeau has been the principal of École Stella Maris (elementary school) and École Stella Maris (immersion school) in Meteghan since 1993. He holds a BA from Université de Sainte Anne and a bachelor's degree and master's degree in education from the Université de Moncton. He is the chairman of the organizing committee of the Acadian Federation of Nova Scotia. He is also a coach for the Minor Hockey Association and director of the Alumni Association of Université de Sainte Anne.

Top L-R: Charles Keagan, Cathy Moore, Ted Morrison, Kumar Uberoi, Lou Gannon, Vicki Brown, Norbert Comeau, Sister Dorothy Moore
Bottom L-R: Sylvia Knox, Sheva Medjuck, James Dewar (Chair) and Mayann Francis (Executive Director)

**James Dewar, Q.C., Wolfville (Chair)**

Mr. Dewar was appointed chair of the Commission in April 1999. He is a graduate of both Mount Allison University (BA, Political Science) and Queen's University (Law). Since 1977 he has practised law in the Annapolis Valley with an emphasis on dispute resolution including mediation, trial work, and municipal law. In his community activities he holds an interest in seniors and persons with special needs.

**Mayann Francis, Halifax**

Ms. Francis has been the Commission's executive director since August 1999. She has previously served as an assistant deputy minister at the Ontario Women's Directorate and for the Ontario Ministry of Housing and Municipal Affairs and was Dalhousie University's first employment equity officer. She is a member of the national board for the United Way/Centraide Canada, the Mascoll Foundation, and other community initiatives both in Canada and abroad. In 2000, she received a Harry Jerome Award recognizing her excellence in management and leadership in a professional role. The Harry Jerome awards, presented annually in four youth and three adult categories, honour excellence and achievement among African Canadians in memory of world-class track and field athlete Harry Jerome. In December 2000, she was appointed ombudsman for the Province of Nova Scotia.

**Lou Gannon, Halifax**
Mr. Gannon is the first African Nova Scotian executive director of the Better Business Bureau of the Maritime Provinces. He has been the executive director since 1996. He was also the first African Canadian appointed as the CEO of a Canadian YMCA in March 1988 and was employed with the YMCA for 27 years. He has a degree in physical education from Dalhousie University. He has earned numerous awards for his community involvement. Mr. Gannon sits as a committee member for the Black Educators Association, the African Nova Scotian Music Awards, the Racism and the Black World Response Society, the Advisory Committee of the African Canadian Employment Clinic, and a committee for Community Policing on Telephone Fraud.

**Charles Keagan, North Sydney**
Mr. Keagan worked for Marine Atlantic for 32 years. He was deputy mayor of North Sydney for three years and a town councillor for 16 years. Mr. Keagan is very active in community organizations. He has been president of the minor hockey and minor baseball associations in North Sydney. He has also been involved in the Royal Canadian Legion Br. 19 and Knights of Columbus 5109. In the mid-1990s he was an executive member of Nova Scotia Pharmaceutical Board.

**Sylvia A. Knox, Lower Rose Bay**
Ms. Knox has been employed with Southwest Regional School Board for 23 years and has extensive community involvement in Lunenburg County. She currently serves as the director of the Lunenburg Board of Trade, the director of the South Shore Transition House, and is very involved at Trinity United Church. Ms. Knox has also been engaged in many fund-raising activities for organizations such as Harbour House (a shelter for women and children), Interchurch Food Bank, Amnesty International, and Foster Parents Plan.

**Dr. Sheva Medjuck, Halifax**
Dr. Medjuck is a professor of Sociology and Anthropology at Mount Saint Vincent University (MSVU). On July 1, 2001, she will be assuming the position of dean of arts and science. Her list of professional activities includes director of research and international liaison officer at MSVU. She is the author of numerous scholarly publications and has held several prestigious grants from national agencies such as the Social Sciences and Humanities Research Council and the Canadian International Development Agency. She has translated her scholarly work into social action in many areas including eldercare, status of women, rights of minorities, and international development. Dr. Medjuck is president of the Atlantic Jewish Council and an officer of numerous national organizations such as the Canadian Jewish Council. She is the chair of the Social Action Committee of the Canadian Jewish Congress, which is involved in lobbying government on issues of social concern and social justice. For this work she received the Sam Filer Award for outstanding community service.

**Cathy Moore, Halifax**
Ms. Moore began to serve as a commissioner in 1999. She had been working as the Halifax district manager for the Canadian National Institute for the Blind (CNIB) until she was promoted to national coordinator of employment services for the CNIB in December 2000 and moved to Toronto. She has also worked as a campaign coordinator for the Fredericton United Way, an employment counselor, and an elementary school teacher. During her term as commissioner, Cathy was involved with the Commission's Partners Against Racism Committee. Cathy also acted as a founding board member of Reach Nova Scotia, an organization dedicated to providing pro bono legal services to persons with disabilities.

**Sister Dorothy Moore, Halifax**
Sister Dorothy Moore is Mi'kmaq and has been employed with the Department of Education since 1995, as a Mi'kmaq education consultant and as an acting director of the Mi'kmaq Services Division. For 22 years she taught in various schools in Nova Scotia (with the exception of three years in Alberta). In 1980, she became principal of the Eskasoni Elementary and Junior High School. From 1985 to 1995, Sister Moore held posts at the University College of Cape Breton as native education co-ordinator, native studies counselor, advisor, and lecturer. She has received numerous awards. Sister Dorothy Moore is currently a member of the Canadian Bible Society Board, the Institute for Early Childhood Education and Development Services, and the Council on Reconciliation for Canadian Conference of Catholic Bishops (Ottawa).

**Ted Morrison, Glace Bay**
Mr. Morrison has been a teacher for 34 years, with 24 of those being in physical education. Mr. Morrison has a missing hand, which he believes has contributed to the formation of his character. He is presently the tech coordinator at St. Michael Junior High. He was the former vice chair for the Disabled Persons Commission and sat on the Department of Education Committee on Assistive Technology and on an interim reference committee with Employable Assistance for Persons with Disabilities (EAPD). He attended Nova Scotia Teachers College, Xavier College, University of New Brunswick, the University College of Cape Breton (UCCB), and Merrill Palmer Institute in Detroit. He is the recipient of two awards: Educational Leadership Award from the Center for Leadership Development and an Award for Excellence in Computer Technology Teaching presented by the Entrepreneurship Education Program of UCCB.

**Kumar Uberoi, Springhill**
Mr. Uberoi has over 35 years of teaching experience with postings in India, the United States, and Canada. He has spent the last 29 years teaching at the Nova Scotia Community College. He immigrated to Canada in 1960. After retiring from his regular teaching job, he was asked by the Canadian Teachers Federation to go to Nepal and train teachers there. Mr. Uberoi served on Springhill Town Council for three terms and was elected deputy mayor three times. He is the past president of the Community College Teachers Association and has served on the local hospital board, mental health board, and Red Cross board. He has a number of degrees, including a bachelor of arts, bachelor of teaching, master of arts, master of education, and a certificate of advanced studies.

# Report of the Executive Director

**A Sense of History**

When I began my term as Executive Director at the Nova Scotia Human Rights Commission (Commission) it was in need of an investment in new resources and skills.

*The Nova Scotia Human Rights Commission seeks to establish itself as a leader and to help Nova Scotia become a centre of excellence for human rights in Canada.*

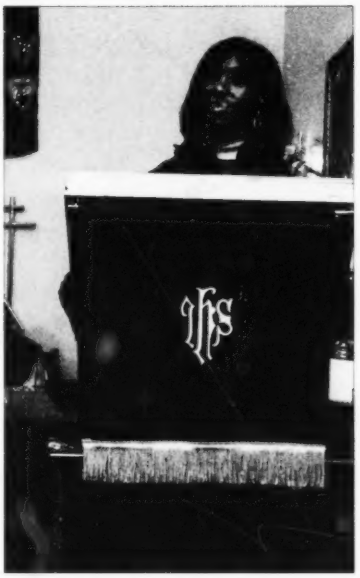
The need for change was supported by several factors:

- The Commission required a seasoned administrator with a strong background in management and human rights to meet the challenge of a tight fiscal climate.
- The Commission saw the necessity to improve its services to the public in order to be more efficient and effective.
- Despite tight resources, all the characteristics protected under the Human Rights Act needed equal protection.
- Critical investments in technology and skill development were needed to improve service to the public.
- The Commission desired to maintain public confidence in its work.

**Vision of the new Executive Director**

Creative management will help to ensure the Commission occupies a place of prominence and respect. Since my appointment in August 1999, the Commission has been

- developing a strategic vision to carry it into the 21st century
- expediting the processing of new cases
- clearing the backlog of older cases
- rebuilding a strong management team
- promoting the principles of respect, transparency, and fairness in the conduct of Commission business




Mayann Francis, Executive Director, at St. Philip's African Orthodox Church, Sydney, for African Heritage Month in February 2001. Photo courtesy Cape Breton Post.

*The Executive Director is committed to the Nova Scotia Human Rights Commission's practice of transparency, respect, and fairness in all business.*

**Achieving the vision of the Executive Director**

Creating change takes time and commitment at all levels of an organization. Therefore, I have turned my attention to developing a change management strategy. Wherever possible, staff of the Commission have been asked to provide options which would promote change and the practice of innovation to improve the public's satisfaction with our work. External individuals have been consulted who had expertise to offer with respect to the changing standards for human rights promotion and protection.

Some of the key achievements of this change management strategy have been

*The Executive Director has worked to implement her vision for the Commission through consultations with staff and by implementing a series of reviews of policies and practices.*

- developing a clearer understanding of staff concerns through regular meetings and discussions with all levels of staff
- creating the position of Special Assistant to the Executive Director
- drafting and implementing a backlog elimination and prevention strategy
- completing a study of the central registry function at the Commission to ensure record keeping is state of the art
- completing a financial review of the Commission's operations
- opening the activities of the Commission to public scrutiny in an effort to promote transparency
- initiating an organizational review of the Commission's roles, responsibilities, and structures
- maintaining a high profile for the Commission through public events and activities such as annual public forums, workshops, and special events
- challenging the Commission and its staff to work smarter with its existing resources

Mayann Francis, Executive Director, works with Special Assistant, Michael Noonan

**Outlook**

I can appreciate that change creates challenges and stresses for staff. These stresses can be lessened by maintaining effective communication in the workplace. The bedrock of effective communication with staff is ensuring that roles and responsibilities are clearly understood. By now every staff member of the Commission understands that

- respect, fairness, and transparency are cornerstones in business practices
- a high degree of accountability is expected of staff, especially senior managers

To help staff embrace my vision for the Commission,

- all staff will have input into the organizational review of the Commission through interviews with the consultants conducting the review
- training opportunities for skill-enhancement will continue

The Commission must continually renew itself. My task as Executive Director is to ensure that the Commission is well equipped with the tools to undertake this renewal. I thank the staff of the Commission for their hard work and contributions, which have helped make change possible. The future for the Commission and for human rights in Nova Scotia can be brighter if the expectations for change that I have set continue to be met.

*The Commission will meet its obligations and achieve the vision of the Executive Director as the staff of the Commission work together.*

# Organizational Review

In May 2000, the Executive Director announced that the Commission was initiating a review of its operations in order to better serve the public. The Nova Scotia Human Rights Commission was in need of a comprehensive organizational review.

The administration of human rights in the province of Nova Scotia is in constant evolution. The Commission could not stand still. With changes in public attitudes and expectations, technological developments, fiscal restraint, and other policy priorities, it was time for the Commission to look at ways of being more efficient and effective. The Commission saw this as an opportunity to be proactive.

In December 2000, the Executive Director was appointed Ombudsman for the Province of Nova Scotia. At this time, the Commission was also asked to include the Office of the Ombudsman in the organizational review to determine if any synergies existed between their operations and with other provincial agencies, boards, and commissions exercising similar mandates in the area of citizen's rights. The Commission was also asked by the provincial government to consult with the African Nova Scotian community on the 1996 Task Force Report on Government Services to the African Nova Scotian Community and the March 2000 response by an interdepartmental committee of the Department of Community Services.

**Approach**

The organizational review is being conducted in phases.

**Phase I** has now been completed and involved drafting a discussion paper for public comment. PRAXIS Research and Consulting Inc. were the consultants for the first phase. The discussion paper, researched and written by PRAXIS, posed questions for public consultation and included research on human rights commissions across Canada. The heart of the paper is an overview of comments from over 40 interviews with informed observers, including provincial government officials, academics, private practice lawyers, and key stakeholder groups, such as First Nations, persons with disabilities, African Nova Scotians, and women. Public consultations on the paper are to be conducted throughout the province in April and May 2001. At the same time, separate consultations with the African Nova Scotian community on the 1996 Task Force report and the March 2000 interdepartmental committee report were being conducted by PRAXIS.

**Phase II** will involve selecting a second consultant to propose a model or models of a potential structure of the Commission and the office of the Ombudsman for consideration by the provincial government. Recommendations are expected to go to the provincial government in August 2001 and are to be considered by government during the fall of 2001.

For updates on the organizational review, please continue to visit the Commission's web site at <http://gov.ns.ca/humanrights/>.

# Investigation Division

The Investigation Division's main responsibilities are to investigate complaints of discrimination, to seek settlement of these complaints, and to prepare summaries for the commissioners who must make decisions on complaints.

## Case Management

In November 2000, the Commission implemented interim measures to deal with its backlog of complaints. Other measures had been implemented earlier in the year, but the final aggressive plan was adopted at this time with a view to eliminating the backlog by March 31, 2001. As a result, 80% of the files lodged before March 31, 1998, were closed during the period of August 1999 to March 31, 2001.

As part of the interim measures, staff resources were re-aligned and two teams were created. The first team was charged with clearing the backlog of cases that were more than three years old, with the exception of the most complex cases involving issues of systemic discrimination. The team was responsible for closing a minimum of four cases each month. The second team ensured that recent complaints were addressed without delay by following strict timelines.

Two workers were seconded from the Workers' Compensation Appeals Tribunal (WCAT). A variety of training was provided to division staff in the areas of investigation and early interventions, report writing, and investigation planning.

The impetus to eliminate the backlog of cases and to streamline case management came in part from Blencoe v. British Columbia Human Rights Commission, a Supreme Court of Canada decision that was rendered in October 2000. In its decision, the Supreme Court ruled that s.7 of the Charter of Rights and Freedoms can apply in the context of human rights proceedings, if an individual's liberty or security are proven to have been infringed upon. Delay in processing a complaint that significantly prejudices a party, such as a delay which might compromise a respondent's right to a fair hearing, could result in a discontinuance of the proceedings. The Blencoe decision has been seen as a wake-up call for all human rights commissions to seek ways and means to reduce time frames in processing human rights complaints.

As a follow-up to the interim measures implemented in November 2000, the Commission has now revised its investigation process to include many of the effective strategies that had been part of the measures. The division has returned to one stream, but continues to give priority to older files. Most complaints, with the exception of complaints involving systemic discrimination issues, are less than three years old.

The objectives of the Investigation Division in the next fiscal year will be to conclude the preliminary assessment of all files within six months of receipt of statements from complainants and to conclude full investigations within 18 months. A pilot project to enhance the early intake and assessment processes for complaints will be implemented in the fall of 2001. The division expects that this project will ensure that the information gathered at the assessment stage (the earliest stage in the complaint process) is thorough and complete.

Francine Comeau, Coordinator of Investigation and Compliance

# Complaint Process

### Inquiries

The Human Rights Commission receives hundreds of telephone calls, correspondence, and visits from individuals who seek advice on human rights issues that affect their daily lives.

These inquiries are a combination of information, assistance, and referral calls. The Commission, in matters not within its formal jurisdiction, limits its participation to that of a helping role, often referring the individuals to the appropriate organization or government body.

### Interventions

***What is an intervention?***

An intervention is the Commission's attempt to resolve human rights matters before they become formal complaints. Interventions are limited to the jurisdiction of the Nova Scotia Human Rights Act and are matters that would likely proceed to a formal complaint if they were not resolved. Interventions are confidential and impartial.

There is no determination of fault or assessment of the merits of the complaint in an intervention. If an agreement between the parties is made as a result of an intervention, then a formal complaint will not be lodged. The proceedings end. If the intervention fails to result in an agreement, a formal complaint may be lodged.

Herb Desmond, Human Rights Officer

### Allegations

***Are allegations sometimes not pursued?***

In some cases, allegations of discrimination are not pursued because the available information does not support the complaint. With an in-depth analysis at the outset, human rights officers are better able to assist potential complainants to assess the appropriateness of a human rights complaint as a solution to their concerns. In other situations, an analysis of an allegation may lead to a conclusion that the matter did not fall within the jurisdiction of the Nova Scotia Human Rights Act.

*In the fiscal year 1999–2000, 71 interventions were attempted. Of this number, 52 led to a resolution that was satisfactory to the parties. The remaining 19 proceeded to a formal investigation.*

*In the fiscal year 2000–01, 51 interventions were attempted. Of this number, 36 led to a resolution that was satisfactory to the parties. The remaining 15 proceeded to a formal investigation.*

## Cases not proceeding to a formal complaint

*In the 1999–2000 fiscal year, 52 files were closed without proceeding to a formal complaint.*

*In the 2000–01 fiscal year, 84 files were closed without leading to a formal complaint.*

## Assessment Process

**What happens once an individual proceeds with a formal complaint?**

When an individual signs a complaint form, the human rights officer gathers the positions of the complainants and respondents. The complaint is then reviewed by members of the Commission's assessment team, which is made up of senior commission staff. The team will decide the next step which could be investigation or settlement attempts; referral to another division for sensitivity training or follow up with the respondent; or to discontinue the complaint.

If a complaint is discontinued the complainant may ask the commissioners of the Human Rights Commission to review this decision. The commissioners are not Commission staff.

## Formal Investigation

**Investigation Process**

If the Assessment Team recommends a detailed investigation, the human rights officer gathers evidence that supports both the complainant's and the respondent's positions. The officer may interview witnesses and gather relevant materials. When the investigation concludes, a human rights officer will prepare a report, which includes an analysis of the investigation, and will provide all parties with an opportunity to review the report. If there is sufficient evidence to support the complaint, the staff of the Commission attempts to settle it. If evidence does not support the complaint, it will be referred to the commissioners, who will determine if the matter should proceed further.

*In the fiscal year 2000–01, the Human Rights Commission investigated 299 formal complaints of discrimination.*

**Final Steps**

Following the investigation, if no settlement can be reached, the complaint is reviewed by the commissioners. The commissioners may discontinue the complaint if the evidence does not establish a case, or refer the complaint to a Board of Inquiry if the evidence supports the complaint. The commissioners may also refer the matter to the Race Relations and Affirmative Action Division if it believes there are issues of systemic discrimination that could be addressed.*

**Formal Complaints**

In the fiscal year 1999–2000, the Human Rights Commission investigated 352 formal complaints of discrimination.

Please see the Appendix for more information on the distribution of formal complaints.

**The Division's scope reaches beyond racial issues to the broad spectrum of diversity such as disability, gender, etc.*

## Settlement/ Resolution Process

If the parties want to resolve a complaint, they can do so at any time during the assessment or investigation stage, including up to the start of a Board of Inquiry, which is the final public stage in the human rights complaint process. A settlement reached after a formal complaint is filed is referred to the commissioners for approval. If the commissioners reject the settlement, the investigation continues.

Before the appointment of a Board of Inquiry, the Commission's policy is to accept, as a term of settlement, a clause that requires confidentiality or prohibits publication if requested by one or more of the parties. However, the Commission may determine that it is not in the public interest to accept such a term of settlement in a complaint.

The Commission will not approve a settlement agreement containing a confidentiality clause after a Board of Inquiry is appointed. Notwithstanding this, the Commission may only approve a confidentiality clause where the risk of disclosure and publication of a settlement agreement outweighs the public interest in disclosure. It is the responsibility of the party seeking confidentiality to identify to the Commission the risk of harm.

**What is found in a settlement?**

Settlements vary and could include such terms as an apology, a letter of reference, financial compensation, policy changes, and an assurance of compliance with the Nova Scotia Human Rights Act. Investigation staff also conduct human rights diversity or sensitivity training sessions as a term of settlement to a complaint.

## Settled complaints:

*In the 1999–2000 fiscal year, 67 complaints at the Commission were settled.*

*In the 2000–01 fiscal year, 66 complaints at the Commission were settled.*

# Legal Proceedings

**Boards of Inquiry and Supreme Court**

Appointment of a Board of Inquiry is the final and public stage of a human rights complaint. The person who serves as the board chair is selected from a roster and nominated by the Chief Judge of the Provincial Court. That nomination is then sent to the commissioners for approval. In some cases, the matter may be settled before the hearing commences. In such cases, only the settlement is referred to the Board of Inquiry chair for approval and is included in his or her decision.

Once the Board of Inquiry sits and after hearing evidence from both sides, the Board Chair decides if discrimination has occurred. The board may order appropriate damages or other remedies, similar to the terms of settlement that can be made during the other stages of the complaint process. The Board of Inquiry may also choose to discontinue the complaint. These decisions may be appealed to the Nova Scotia Court of Appeal if any party believes an error in law was made.

In the past two fiscal years, decisions were rendered by 14 Boards of Inquiry and/or Court decisions, in the following areas:

**Employment —Disability**

Julie Coleman v. Manto Holdings Ltd.

Board of Inquiry— Susan M. Ashley
Date of Complaint—June 29, 1996
Date of Appointment—October 5, 1998
Date of Hearing—March 8–10, 1999
Date of Decision—May 10, 1999
Complaint dismissed

Coleman alleged that Manto failed to accommodate her for the effects of a disability caused by a workplace injury and failed to rehire her because of the disability. The Board of Inquiry found that the evidence did not establish that the employer was aware of Coleman's disability or that she had requested accommodation. It was found that if adverse effect discrimination had existed, rehiring Coleman would have been an undue hardship.

**Employment—Race**
Glenfield Brathwaite v. the Department of Natural Resources

Board of Inquiry—Alison W. Scott
Date of Complaint—June 15, 1995
Date of Appointment—July 1998
Settled before hearing
Date of Decision—August 11, 1999

Brathwaite alleged that he was discriminated against because of his race over the course of his employment with the Department of Natural Resources from 1975–1997.

The terms of settlement are confidential.

**Sexual Harassment—Employment**
Sylvia Wigg v. Art Harrison and/or Art Pro Litho Ltd.

Board of Inquiry—J. Royden Trainor
Date of Complaint—July 10, 1997
Date of Appointment—October 5, 1998
Date of Hearing—February 22, 1999
Date of Decision—August 16, 1999
Complaint upheld

The Board of Inquiry found that Wigg, employed by Art Pro Litho Ltd., was sexually harassed by Harrison from January 1995 until she quit in February 1997. The Board dealt with two preliminary motions. It found that it could hear hearsay evidence and that similar fact evidence could be admitted as long as it was not used to argue a propensity by Harrison. The respondent made a motion for non-suit after the Commission presented its case. The Board found that the Commission had established a case of discrimination.

Terms of settlement:
- Apology to Wigg
- $3,800 in general and exemplary damages
- $1,250 in lost earnings
- Harrison to take sensitivity training
- Harrison and Art Pro Litho to develop a sexual harassment policy

**Family Status/Marital Status/ Sexual Harassment—Employment**
James Meister v. 2177000 Nova Scotia Limited (Farmington Environmental Centre) and/or John Guest

Board of Inquiry—Jennifer K. Bankier
Date of Complaint—March 3, 1998
Date of Appointment—June 2, 1998
Settled before hearing
Date of Decision—August 19, 1999

Meister alleged that Guest sexually harassed him and eventually terminated him because of his marital and family status.

Terms of Settlement
- $5,500 general damages
- $500 lost wages
- letter of reference for Meister

**Physical Disability— Employment**
Anne Martin v. Quarry Enterprises Inc.

Board of Inquiry—Philip Girard
Date of Complaint—January 13, 1997
Date of Appointment—May 31, 1999
Settled before hearing
Date of Decision—October 27, 1999

Martin alleged that she was discriminated against because of a physical disability, a scarred hand, from her employment at a restaurant owned by the respondent.

The terms of settlement are confidential.

**Marital Status—Accommodation/ Services and Facilities**
John Christie v. the Halifax Student Housing Society

Board of Inquiry—Michael J. Wood, Q.C.
Date of Complaint—August 27, 1997
Date of Hearing—September 14, 1999
Date of Decision—November 1, 1999
Decision on damages

Christie, his common-law spouse, and his child were evicted from an apartment owned by the Halifax Student Housing Society, because the society prohibited unmarried couples from tenancy. The Society conceded that this was discriminatory.

The Board found that Christie's spouse, although not a party to the complaint, was a person who could be compensated under Section 34(8) of the Human Rights Act. It found that there was no requirement that persons injured and/or compensated under this section be parties to the complaint.

The Board retained jurisdiction if the parties and the Commission are unable to agree to changes to the Society's bylaws to ensure future compliance with the Act.

Order:
The Board ordered the following compensation to Christie by the Halifax Student Housing Society:

General Damages $ 1500
Rent differential $ 6276
Electrical power $ 3325
Cable television $ 667
Moving $ 290
Interest $ 500
Total $ 12,558

**Sex (pregnancy)/Family Status—Employment**

Terri Redden v. Navid Saberi and Atlantic Construction Management Services Ltd.

Board of Inquiry—Philip Girard
Date of Complaint—February 12, 1997
Date of Appointment—April 29, 1999 - first chair - resigned August 10, 1999 due to conflict
August 25, 1999-final chair
Dates of Hearing—September 27, 28, October 29, 1999
Date of Decision—November 22, 1999
Complaint upheld

Redden alleged that she was discriminated against because of her sex (pregnancy) and family status when she was terminated from her position as a real estate assistant by Saberi on May 31, 1996.

At the hearing, the respondents raised that the delay in proceeding to a hearing was a failure of natural justice and that the stigma to Saberi infringed on his rights under Section 7 of the Charter.

The Board rejected these arguments. It found that the delay (32 months from Redden's original contact with the Commission to the first appointment of a Board of Inquiry), while unfortunate, was not unreasonable and did not prejudice the respondents. It found that Saberi's Section 7 rights were not violated, since there was no evidence of stigma, prejudice, or a serious effect on his psychological integrity.

The Board dismissed the complaint against Atlantic Construction Management Services Ltd.

The Board found that Saberi discriminated against Redden because of her sex (pregnancy). It found that Saberi failed to make efforts to accommodate Redden when her pregnancy made her less flexible with respect to overtime work. It also found that not being pregnant was not a bona fide occupational requirement for Redden's position. It found that substantive equality for women includes accommodation while pregnant.

Order

- Lost wages of $4683.28
- Saberi to repay Redden's Employment Insurance benefits—$1572
- General damages of $4000
- Interest from June 1, 1996

The Board suggested that the Commission determine if real estate boards in Nova Scotia educate their members about their responsibilities under the Human Rights Act, and work with the Boards as appropriate.

**Procedure—Role of the Commission**

The Nova Scotia Human Rights Commission v. Ian MacDonald and the Executive Council of Nova Scotia and the Department of Justice

Supreme Court of Nova Scotia - Justice John M. Davison, in Chambers
Date of Application—September 29, October 27, 1999
Date of Hearing—November 18, 1999
Date of Decision—November 26, 1999
Application granted

This was an application by the Commission under Section 31(1) of the Human Rights Act for an order that Ian MacDonald participate in an interview with Commission staff without the presence of counsel for the respondents to the complaint in question. The Commission also sought a declaration by the Court that legal

counsel for any party to a complaint may not attend witness interviews.

Ian MacDonald is a witness in the complaint of H. Archibald Kaiser v. the Executive Council et al. He required that the legal counsel for the Executive Council, a Nova Scotia Department of Justice solicitor, attend his interview. The Commission advised him that he could bring legal counsel to the interview, but not legal counsel for a party to the complaint.

The Court granted the application. It ordered that Ian MacDonald attend an interview, if he wishes, with counsel who is completely independent of the issues in the proceeding. It declined to make the declaration sought by the Commission, stating that the request was "perhaps superfluous when it is stated that the Commission can adopt its own procedure for investigating the relevant facts as long as it does not contravene the Act."

During the hearing, counsel for the respondents argued that Section 30 of the Human Rights Act only required the furnishing of information, and that this did not include a right to interview by the Commission. The Court rejected this argument, stating that the manner in which information is to be furnished is up to the Commission to decide.

**Disability—Employment**
Kevin Pond v. Cimco Refrigeration (a Division of Toromont Industries Ltd.)

Board of Inquiry—Ronald A. Pink, Q.C.
Date of Complaint—October 8, 1996
Date of Settlement—November 19, 1999
Settled before hearing
Date of Decision—December 3, 1999

Pond was terminated from his employment as an apprentice refrigeration mechanic because he had an epileptic seizure at work.

Terms of Settlement
- $15,000 general damages
- disability awareness training for Cimco
- letter of regret to Pond
- agreement not to discuss settlement within refrigeration industry

**Religion—Employment**
Noreen Nicholson v. Shannex Health Care Management Inc., Breton Bay Nursing Home and Theresa MacLeod

Board of Inquiry—Victor Goldberg
Date of Complaint—January 26, 1995
Date of Appointment—December 11, 1998
Date of Decision—December 22, 1999
Settled before hearing

Nicholson alleged that the respondents failed to accommodate her because of her religion in her employment.

The terms of settlement are confidential.

**Mental Disability—Employment**
Craig Thibodeau v. Tusket Sales and Service Limited and Hubert Pothier

Board of Inquiry—Scott Gillis
Date of Complaint—May 14, 1998
Date of Appointment—August 24, 1999
Date of Agreement—March 8, 2000
Settled before hearing
Date of decision—June 16, 2000

Thibodeau alleged that he was terminated from his employment with Tusket Sales and Service because of a mental disability.

Terms of Settlement
- $4,500 general damages to complainant
- Letter of reference

**Sex (Pregnancy)—Employment**
Alisa Patterson v. Gladburg Holdings Limited and/or Barbara Gladwin

Board of Inquiry—David Miller
Date of Complaint—May 22, 1998
Date of Appointment—November 29, 1999
Date of Agreement—June 29, 2000
Settled before hearing
Date of Decision— December 4, 2001

Patterson alleged that she was terminated because she missed time because of complications of pregnancy.

Terms of Settlement
General damages of $3,500

# Legal Division

**Procedure/Disclosure**

Nova Scotia Human Rights Commission v. Sam's Place, Samir Toulany et al.

Supreme Court of Nova Scotia - Justice A. David MacAdam

Application granted in part.
Dates of Hearing—May 25 and June 15, 2000
Date of Written Decision—August 3, 2000

This was an application by the Nova Scotia Human Rights Commission under Section 31(1) of the Human Rights Act that the respondents, who were respondents in a sexual harassment complaint by Ann Derusha, disclose the names, addresses and telephone numbers of all former and current female employees from July 1, 1995, to November 10, 1999.

The Court found that this application was too broad. It ordered the respondents to provide the information with respect to employees who worked in the same location as Derusha, at the time she was employed and since. The Court declined to make a distinction between male and female employees.

**Family Status—Employment**

Rhonda King v. Roots Canada Limited

Board of Inquiry—Carol Aylward
Date of Complaint—September 30, 1996
Date of Agreement—September 12, 2000
Settled before hearing
Date of Decision—September 29, 2000

King alleged that she was terminated because she had a child.

The terms of settlement are confidential.

The Legal Division, headed by Legal Counsel Maureen Shebib, is responsible for providing a broad range of legal services to members and staff of the Human Rights Commission. This includes

- preparing legal opinions for the commissioners
- providing legal advice and assistance to the Executive Director and staff
- providing staff training and development
- developing policy
- representing the Commission at hearings before Boards of Inquiry and the Supreme Court

In the 2000–01 period, the Legal Division assumed responsibility for administration of applications under the Freedom of Information and Privacy Act (FOIPOP). The legal counsel also supervised a team of human rights officers carrying out interim measures for case management. (Please refer to the Investigation and Compliance Division section of this report for more details.)

In this reporting period, the legal counsel assumed responsibility for the Commission's activities with the Continuing Committee of Human Rights Officials. In addition to working with the province's interdepartmental representatives on various UN reports, Maureen Shebib attended the Continuing Committee's bi-annual meeting in Ottawa in November 2000, as well as a conference in Toronto sponsored by the Ontario Human Rights Commission on international human rights instruments.

In this section of the report, the Commission would like to highlight particular cases or policy issues that are precedent setting.

## Breastfeeding

Elizabeth Smith alleged that Jan Bird, the owner of Chintzy's, a Halifax fabric shop, had asked her to refrain from breastfeeding her infant son in the store during April 1998. A formal complaint was signed in October 1998 based on the protections for gender and family status under the Nova Scotia Human Rights Act. A settlement was reached in January 2000.

### Breastfeeding Policy

As a result of the complaint, the Commission developed a breastfeeding policy that affirms a woman's right to breastfeed in public. The policy is intended to serve as a guideline for employers, facilities and services, and breastfeeding mothers. During the summer and fall of 2000, the Commission conducted information sessions on the breastfeeding policy in Halifax, Digby, and Sydney.

### Assessment report

Following the approval of the settlement, the respondent, Jan Bird, publicly questioned the way the investigation was handled and the appropriateness of the behavior of staff in carrying out the complaints process. As a result, the Executive Director ordered an independent assessment of the investigation by lawyer Brian G. Johnston, Q.C., of Stewart McKelvey Stirling Scales in March 2000.

The investigation report concluded that staff had acted appropriately in handling the matter. Mr. Johnston had also asked the Commission to consider several recommendations to clarify the steps in the complaints process to respondents and complainants. A copy of the report is available on the Commission's web site, under Decisions.

## Protocol and Delegation of Powers

In August 1999, Professor Carol Aylward contacted the Commission indicating that she wished to file a complaint against Dalhousie University and a number of individuals at the university. It was alleged that a number of conflict of interest situations existed within the Commission with respect to the matter. In June 2000, the Governor in Council made a regulation which enabled the Nova Scotia Human Rights Commission to delegate its powers, duties, and functions and to appoint a Board of Inquiry where in the opinion of the Commission it would be subject to reasonable apprehension of bias or conflict of interest if it were to investigate the complaint.

In September 2000, the Commission approved revisions to its Policy and Protocol Pursuant to the Delegation of Powers Regulation, appointing the Provincial Ombudsman as External Trustee of Investigations for the purposes of the Delegation Regulations and setting out procedures for the handling of matters referred to the Ombudsman. Carol Aylward's matter was referred to the Ombudsman who then declared a conflict of interest, as well. It was then referred to the Ontario Human Rights Commission.

The respondents in Carol Aylward's complaint initiated a legal challenge to the validity of the Delegation of Powers to the Ombudsman on October 27, 2000. The respondents alleged that the Human Rights Act did not permit the Commission to delegate any of its investigation powers to an outside person or agency. The Commission accepted this argument and conceded that it had acted outside of its jurisdiction in referring this particular matter to the Ombudsman.

On March 1, 2001, the Nova Scotia Supreme Court held a hearing to consider the issue of costs. A decision on this was not received by the end of the fiscal year.

# Race Relations and Affirmative Action Division

The Race Relations and Affirmative Action Division, as mandated under the Human Rights Act, works to promote the welfare of disadvantaged groups and promote racial harmony, addressing both individual and systemic discrimination. The division, led by the Coordinator of Race Relations and Affirmative Action, Viki Samuels, provides the following services:

- consults and assists government, and community and private sector organizations with the development of programs, policies, and practices that identify and address the needs of traditionally disadvantaged groups
- acts as an information and training resource to all sectors on race relations and discrimination through workshops and information sessions
- where appropriate, attempts to resolve complaints through mediation and intervention rather than proceeding through the formal complaint process
- works with all staff to undertake public education initiatives

Viki Samuels, Coordinator of Race Relations and Affirmative Action

## What is Race Relations?

*Race relations refers to the quality and pattern of interactions between diverse racial groups within society.*

## What is Affirmative Action?

*Affirmative Action is a tool to address and remedy systemic discrimination or institutional discrimination, particularly discrimination experienced by women, members of racial minorities, Aboriginal people, and persons with disabilities. Systemic discrimination is defined as persistent patterns of inequality that are the result of both intentional and unintentional discrimination.*

## The Nova Scotia Human Rights Commission and Affirmative Action

Affirmative Action promotes equality and human rights within organizations in all areas covered under the Human Rights Act with a focus on organizational values. These agreements promote equitable practices and seek to eliminate systemic barriers for racially visible people, First Nations/Aboriginal people, persons with disabilities, and women. Agreements have been signed more recently by the Halifax Regional Municipality, the Nova Scotia Provincial Department of Human Resources, The Halifax Transition House Association, and the Cape Breton Regional Municipality.

In March of 2001, the Human Rights Commission signed an Affirmative Action Agreement with the University College of Cape Breton (UCCB). In signing the Agreement, UCCB set a long-range goal of developing a workforce through a combination of recruitment, hiring, and training practices that represents the composition of the general labour market.

**Training and presentations**

The Train-the-Trainer program continues into its third year. This program teaches facilitation skills to employees of an organization to conduct workshops with their staff. Train-the-Trainer enables the organization to have more buy-in into the program, increases staff development, and creates valuable internal human resources.

As of the end of the fiscal year March 2001, organizations that have taken part in the Train-the-Trainer program include The YMCA of Greater Halifax-Dartmouth, the Metropolitan Regional Housing Authority, and the World Trade and Convention Centre. The Division also continues to offer sexual orientation, sexual harassment, and diversity training. As well, staff have given a number of general information sessions across the province on human rights issues and the role of the Commission.

The Race Relations and Affirmative Action Division has worked with the Nova Scotia Office of Aboriginal Affairs to develop a training module on Aboriginal issues. This program was tested in 1999 and the first government employees were trained in 2000.

## Community

Staff represent the Commission on a number of committees, including the Cape Breton Regional Municipality Affirmative Action Committee, the Multicultural Education Council of Nova Scotia (MECNS), the Multicultural Association of Nova Scotia (MANS), the Metro United Way, and the African Heritage Month Committee in New Glasgow.

The Commission also sponsors two committees of its own: Partners Against Racism (PAR) and Community Advocates for Rights with Responsibilities (CARR).

## Partners Against Racism (PAR)

The Partners Against Racism (PAR) Committee was formed in 1997 in Halifax as a coalition of organizations dedicated to protecting and promoting human rights. PAR focuses on partnerships to plan, prepare, and organize events that promote racial harmony, facilitate networking among sectors, and promote awareness of human rights issues. This pooling of ideas, beliefs, and resources helps to establish a unified commitment to human rights issues and to nurture valuable and lasting partnerships.

The PAR committee organizes two annual events: December 10th, Human Rights Day, and March 21st, International Day for the Elimination of Racial Discrimination. In addition to these, on October 20, 2000, PAR held a one-day conference to highlight the International Day for the Eradication of Poverty. This conference to examine the links between racism and poverty, called the Many Faces of Poverty: Borrowing from the Past, Learning from the Present, Planning for the Future, was held at the Dartmouth North Community Centre. Resolutions adopted by the participants at the conference were presented at a national conference called Children, Poverty and Education: Meeting the Challenge at Mount Saint Vincent University in November 2000.

## Members of the Partners Against Racism Committee 1999–2001

Viki Samuels, Chair

Lori MacLean, Chair (until July 2000)

Roberta McIntee

Adria May

Tomoko Omori

Barb Mysko
*Nova Scotia Human Rights Commission*

Sandra Smith Muir
*Canadian Human Rights Commission*

Lysa Magder (2000–01)
Yakov Feig (1999–2000)
*Atlantic Jewish Council*

Ryan Duly (2001)
Fran Maclean (1999–2001)
*Baha'i Community*

Judi Richardson
*The Nova Scotia Community College*

Darren Ruck
*Scotiabank*

Katie Kinnaird
*Human Resources Development Canada*

Faisal Samad
*YMCA Newcomers' Services*

Marcella Shears
*Federation of Labour*

Barbara Ann Simmons
*RCMP*

Constable Cedric Upshaw
*Halifax Regional Police*

**Human Rights Day, December 10**

In 1999, Human Rights Day was marked by a keynote address from Mayann Francis, Executive Director of the Nova Scotia Human Rights Commission. The address was followed by the presentation of awards, including the Human Rights Journalism Award, The Human Rights Citizenship Award, and awards to junior high students for human rights murals they designed for metro transit buses. The event, held at Dalhousie University's McInnes Room, featured the youth dance group Harmony Beat, who performed two dances reflecting on racism and human rights.

Human Rights Day 2000 was held at the Bell Road Campus of the Nova Scotia Community College and marked the first International Decade for the Eradication of Poverty (1997–2006) as proclaimed by the United Nations. Paul O'Hara, anti-poverty activist and social worker at the North End Community Health Clinic was the keynote speaker. Entertainment was provided by the Baha'i Fire and Light Chorale and Jeremiah Sparks. Human Rights Awards were presented to Crossley Carpet Mills Ltd. of Truro and the Shining Lights Choir.

**International Day for the Elimination of Racial Discrimination, March 21**

"Act in peace—not in hate," stated South Africa's High Commissioner to Canada, André Jacquet in his keynote address at the 5th Annual Harmony Brunch. His inspirational address was delivered at the Dartmouth Sportsplex on the International Day for the Elimination of Racial Discrimination (March 21st) in 2000, which was also the International Year for the Culture of Peace. "A world where peace is embraced and hate is not tolerated must become a global reality," said His Excellency Mr. Jacquet. The event included performances by the multi-racial Kumba African Percussion Ensemble from Ross Road School and Aboriginal drummers from the Mi'kmaq Friendship Centre in Halifax.

At the 6th Annual Harmony Brunch on March 21st, 2001, a panel of three youth described their experiences with racism and prejudice as new Canadians. The crowd was moved as Faisal Samad, Haiveen Al-Isso, and Ana Al-Banna of the YMCA Newcomers' Community Involvement Program told stories of their experiences in a new country where people are not always friendly and welcoming.

Members of the Kumba percussion ensemble perform for the 5th Annual Harmony Brunch.

The brunch was held at Saint Patrick's-Alexandra School gymnasium in North End Halifax. Aboriginal dancing by Sherri Nevin from Indian Brook was showcased. Entertainment was provided by Tiyalia Cain-Grant who sang "Lift Every Voice and Sing," the Black national anthem. Adrien Gough gave a musical performance on the saxophone. A Human Rights Award was presented to VOLITION, a dance group that performs to educate others on human rights issues. The group presented a dance at the brunch.

PAR holds the Harmony Brunch every March 21st to commemorate the International Day for the Elimination of Racial Discrimination. After peaceful demonstrators were killed in South Africa on March 21st, 1960, the UN declared the day should be set aside to remember the harmful effects of racism. Canada was one of the first countries to support the campaign.

Sherri Nevin of Indian Brook dances at the 6th Annual Harmony Brunch in Halifax.

**March 21st in Sydney**

During this reporting period, the Sydney Office of the Nova Scotia Human Rights Commission was involved on a local diversity committee that plans events for March 21st, the International Day for the Elimination of Racial Discrimination.

In 2001, the committee held an event at the University College of Cape Breton. The event consisted of a panel discussion called Racial Discrimination: A Community Perspective. Mayann Francis, the Commission's Executive Director, gave a keynote address titled "Discrimination in Our Community. Has Anything Changed?" that examined the various types of racism and oppression that can be experienced by diverse groups, namely overt discrimination, covert discrimination, environmental racism, and internalized oppression. Ms. Francis stated:

*The fight against racism is won not just by grand gestures or by playing lip service to the flavour of the day, but by small, individual victories. Walking into the store with your head held high, even though you are viewed with suspicion. Applying for a job with confidence, even when you know that you are looked at as an inferior candidate. Creating your own opportunities and building the wealth of your community, not waiting for someone else to do it for you. These are the paths to the future. They will allow you to learn from the lessons of the past. Do not be a victim of the past, but a champion for the future.*

Also, Youth Speaks Up! was given a Human Rights Award at the event. The group is comprised of 75 grade six students from six different schools in the Sydney area. One Sunday each month, the group meets for lunch at the Delta Hotel in Sydney and listens to speakers on various topics and debates many different issues, including those related to human rights and the dignity of all persons. See photo on page 29.

In 2000, the Sydney Office also worked with the local diversity committee to organize a Harmony Breakfast with keynote speaker Patricia Doyle-Bedwell, the executive director of the Nova Scotia Advisory Council on the Status of Women, who spoke on the subject of racism. In the afternoon, there was a workshop organized on subtle racism and a panel discussion called Barriers to Access in Education. Proclamations were signed both years by the mayor of the Cape Breton Regional Municipality.

**Community Advocates for Rights with Responsibilities (CARR)**

Community Advocates for Rights With Responsibilities (CARR) is a partnership of individuals from community organizations who seek to provide information and encourage debate on racist and sexist advertising marketed to youth and children. The group also aims to limit access to youth and children to racist/sexist publications and advertisements, by holding distributors and publishers accountable. CARR was formed in response to the circulation of VICE magazine, a free publication with what the committee members viewed as racist and sexist content, on Halifax news stands. CARR wrote several letters to VICE in regard to the content of the magazine and also contacted the Advertising Standards Council of Canada.

In March 2000, the group organized a conference called Hate: Poisoning Youth. The goal of the conference was to bring adults together to discuss their responsibility in activities, literature, and marketing to youth. Discussion at the conference included hate literature and activities, hate in culture and marketing, and the history of hate. Panels examined the legal implications of hate, freedom of expression issues, ideas for curriculum and the classroom, and steps to address hate in communities.

As a result of their efforts in raising awareness around issues of racism and discrimination, the committee was nominated for a Canadian Race Relations Foundation Award of Excellence. Upon invitation, Viki Samuels and hip hop artist/activist Garry James (a.k.a. Pappa Grand) attended the Awards symposium in Vancouver in March 2001. Both had a chance to exchange ideas with various anti-racism groups across Canada and to participate in a panel discussion on activism.

## *Members of the Community Advocates for Rights With Responsibilities Committee 2000–01*

Jackie Barkley, Chair
*CHOICES Adolescent Treatment Centre*

Viki Samuels
Adria May
Barb Mysko
Tomoko Omori
*Nova Scotia Human Rights Commission*

Sandra Smith Muir
*Canadian Human Rights Commission*

Don Clarke
*Halifax West High School*

Anne Leblanc
Carolyn Abbey
*Avalon Sexual Assault Centre*

Carol Millett
*Metro Coalition for a Non-Racist Society*

Denise Moore
*Nova Scotia Advisory Council on the Status of Women*

Barb Hinch
*Black Educators Association*

L-R: Augie Jones, Teacher; Garry James, Hip hop artist/activist; Bridget Perrin of the Stop Look and Listen Movement; and Bruce Wark of the King's College School of Journalism discuss Hate in culture and marketing at the ***Hate: Poisoning Youth*** Conference in March of 2000 organized by CARR

# Public Forums

## Human Rights: Reflections, Realities, Reasons

**January 20, 2000, Radisson Suite Hotel, Halifax**

Over the last 30 years there has been a tremendous evolution in human rights law in the Province of Nova Scotia and in Canada. As society has evolved, human rights and social justice issues and legislation have grown in complexity.

In January 2000, the Commission held a roundtable discussion on the evolution of Human Rights in Nova Scotia and the evolution of the Nova Scotia Human Rights Commission over the last three decades at the Radisson Suite Hotel in Halifax.

Those who participated in the discussion included executive directors of the Human Rights Commission over the past three decades:

- Marvin Schiff, the first Executive Director (1968–71)
- Dr. Bridglal Pachai, former Executive Director (1989–94)
- Dr. Kenneth Ozmon, former Chair (1990–96)
- Wayne MacKay, former Executive Director (1995–98)
- Mayann Francis, present Executive Director (1999–present)
- James Dewar, Q.C., present Chair (1999–present)

L-R: Marvin Schiff, Dr. Kenneth Ozmon, James Dewar, Q.C., Mayann Francis, Wayne MacKay, and Dr. Bridglal Pachai speak on human rights.

Douglas Ruck, Ombudsman for the Province of Nova Scotia, acted as moderator. Remarks were made by the Honourable Michael G. Baker, Q.C., Minister of Justice.

Marvin Schiff reflected on the role and evolution of the Commission in the 1960s and 70s —two decades of social movements. During this time, civil liberties movements as well as anti-war movements impacted human rights legislation which in turn led to the creation of a human rights commission in Nova Scotia. "It was an era of people power. And we from the start at the Commission had a two-pronged approach," said Mr. Schiff. "On the one hand we recognized that, yes, there was legislation and we had to administer the Act and the anti-discrimination section of the Act that called for the Commission ...to take action in various fields. Even though they were not formally covered by the legislation, they were covered in spirit and principle by the legislation, and we were to do what we could in those areas to improve the human rights situations of the population generally."

Dr. Bridglal Pachai discussed events that changed the course of human rights in Nova Scotia in the late 80s. These included Canada's lead role in the Convention on the Rights of the Child, the racial incidents at Cole Harbour High School, and the report of the Royal Commission on the Prosecution of Donald Marshall, Junior. He also discussed subjects of public debate at the time, including sexual orientation. Dr. Pachai also spoke of the importance of public education undertaken by the Commission in reaching out to the Community. "We must understand that the face of society changes with the passing of time," he said. "The voices of society change from time to time," he said. "They remain the voices that are vocal. They remain the voices that are silent. But in providing the service we must reach out. The Commission must reach out."

Dr. Kenneth Ozmon discussed the effectiveness of staff and their commitment to human rights and the perceptions about the Commission by the broader public. "People outside the Commission tend to focus on and hear about only the complaints that become public by virtue of the public hearings, so in a sense they are focusing on the failures of the ability of our society to deal with human rights issues because these complaints are unable to be settled by other means such as mediation," said Dr. Ozmon. "But I think people have to realize that the vast majority of complaints that have come before the Commission are dealt with without having to resort to a public hearing. And this is a tribute ... to the dedication and competence of staff."

Wayne MacKay discussed the realities for the Human Rights Commission, which include a shrinking budget, while the Human Rights Act and activities of the Human Rights Commission continue to broaden. He discussed the importance of teamwork of staff and commissioners to handle complaints effectively. "Certainly anything that was done while I was director was a team effort for which the staff as much or more than myself should get credit. The commissioners, the ministers I work with—it's a team of people working together."

James Dewar, Q.C., also echoed Mr. MacKay's comments in reference to the importance of staff working as a team. "The teamwork, I'm sure, will continue to go a long way as the Commission, both staff and commissioners, work toward achieving the objectives of the Act." When asked by Mr. Ruck if public education messages should be the same as they were in the 60s and should there be or has there been a change, Mr. Dewar said, "I think the goals remain the same now as they were in the 60s in that they're premised on respect for individuals. And I don't think that overall goal has changed. I think what has changed, though, are the needs of the community." And those different needs bring about different goals at the more specific level." He continued, "From that perspective then, at the more detailed level, there are different goals that do call for some different strategies in dealing with them."

Mayann Francis discussed the Commission's service to the various communities. "The Commission has an obligation when you have Supreme Court decisions coming down that affect a particular group. We have a duty and an obligation to react to that decision because usually there's a domino effect that will happen across Canada and we must be prepared and ready for when those decisions affect the Province of Nova Scotia as well."

Ms. Francis also discussed the importance of being prepared to ensure that communities feel that they could come to the Commission and be treated fairly. In reference to the need for education on human rights issues, she said, "education plays a critical role, both external and internal. It is absolutely important that officers and commissioners are constantly educated in the area of human rights. We must also reach out and educate the public in the areas of human rights as well as systemic discrimination. There must be partnerships, dialogues, forums, such as today, and the Commission must listen."

The forum was well attended. The Executive Director has committed to holding public events each year during her term. While this forum reflected on human rights in the last 30 years in Nova Scotia, the next forum in 2001 would look to the future.

## What is the Future for Human Rights in Nova Scotia?: A Public Forum

**February 1, 2001, Westin Nova Scotian Hotel, Halifax**

On February 1, 2001, Nova Scotians gathered at the Westin Nova Scotian Hotel in Halifax for a one-day public forum that examined the future of human rights locally, nationally, and internationally. The Forum, titled What is the Future for Human Rights in Nova Scotia?, was part of strategy for moving into the 21st century. At the centre of the strategy is making Nova Scotia a centre of excellence in the field of human rights.

Fred Furlong of the Canadian Union of Postal Workers and Sebastian Margarit of Youth Against Racism discuss Human Rights issues in Nova Scotia into the 21st century.

Mayann Francis, Executive Director, opened the forum by challenging participants to consider what kind of province they want to live in. "Our eyes should be on the future today," she said. "The future of the Nova Scotia Human Rights Commission. The future of the many communities who look to the Commission and the Human Rights act for protection and inspiration. The future of businesses who must compete not just here at home, but must also reach for success in the wider world."

Three panel discussions gave participants different ways to formulate their answers to the Executive Director's challenges. The first, moderated by Senator Donald Oliver, Q.C., brought an international perspective to the table through the comments and discussion of Senator Raynell Andreychuk, Senator Ron Ghitter (retired), Dr. Roland Chrisjohn of St. Thomas University, and Jonathan Davies of the Nova Scotia Department of Justice.

Senator Donald Oliver, Q.C., moderates the international perspectives panel.

A panel of experts representing youth, the media, business, labour, the legal profession, and the community answered questions about the future role of the commission. Panelists offered and debated various recommendations, but agreed that education, already an important role of the commission, is key to its future work.

"Government must put its resources into resolving systemic problems through education, not ind vidual cases, said Dr. Wanda Thomas Bernard of the Maritime School of Social Work." In addition to Dr. Bernard who represented the community perspective, panelists included Fred Furlong of the Canadian Union of Postal Workers (representing labour); Sebastian Margarit of Youth Against Racism (representing the youth perspective); Brian Johnston, Q.C., of the law firm Stewart McKelvey Stirling Scales (representing the legal profession); political columnist Parker Barss Donham (representing the media perspective); and Gordon Laing of Crossley Carpet Mills Ltd. (representing the business perspective). The panel was moderated by Elizabeth Beal of the Atlantic Provinces Economic Council.

Chris Finding, Acting Manager of Mediation and Investigation at the B.C. Human Rights Commission, talked about how the Supreme Court of Canada's Blencoe Decision affected the work of his agency. The single biggest cause of delay is overloaded human rights officers. "If you're keeping up generally, you will ultimately reduce case handling. It does take some money, but it's not as large an amount of money as you'd think, but the effect is dramatic," he said. He called for more training and better standards. The third panel, which included executive directors of the Prince Edward Island and the Nova Scotia Human Rights Commissions, responded to the presentation. The panel was moderated by Sandra Smith Muir of the Canadian Human Rights Commission.

The discussions from the public forums assisted the Commission and other organizations and individuals in moving forward in their work to create a better province. Nova Scotians can look forward to more forums on human rights issues in the future.

Senator Ron Ghitter (retired), Senator Raynell Andreychuk, and Jonathan Davies of the Nova Scotia Department of Justice discuss international perspectives on the future of human rights.

# Inter-Faith Breakfast

On November 18, 1999, Mayann Francis, Executive Director, held a breakfast at Saint Mary's University with members of faith communities to discuss the role that faith can play in building a stronger civil society. With increasing reports of hate and violence in our society, her view was that the Commission could enter into a dialogue with religious organizations in the province to better serve the needs of Nova Scotians by encouraging all people to accept difference and to value diversity. The Commission looks forward to organizing events like this in the future.

# Recognizing Achievements in Human Rights

## *A showcase of our 1999–2001 Human Rights Awardees*

Each year the Nova Scotia Human Rights Commission extends Human Rights Awards to individuals and organizations that have made an exemplary effort to promote, preserve, and protect human rights.

The first Human Rights Award was presented in 1986 by the Premier to commemorate the 38th Anniversary of the Universal Declaration of Human Rights. At that time, the award was presented to recognize outstanding service to mentally disabled persons and to mark the passing of legislation prohibiting discrimination on the basis of mental ability.

Although human rights advancements extend beyond our province to national and international endeavors, the Commission is particularly pleased to recognize local achievements in the field of human rights. Here are the Human Rights Awardees for the fiscal years 1999–2001.

**Creating a corporate culture of inclusion: Crossley Carpet Mills Ltd, Truro**

Awarded on Human Rights Day, December 10th, 2000 (Halifax)

Crossley Carpet Mills Ltd of Truro was presented with a Human Rights Award on December 10th, 2000, because of the company's proactive efforts to promote human rights in the workplace. With the assistance of human rights consultants Dunphy & Associates, Crossley Carpet Mills Ltd. has implemented a Workplace Rights Program. This program consists of a workplace rights policy, the design of an in-house workplace rights committee, recruitment of in-house committee members, investigation and mediation training of committee members, and Workplace Rights Awareness sessions for the total Crossley Carpet workforce. The Commission was pleased to acknowledge their vision to promote greater respect and acceptance of human rights principles within their organization. We hope this example will encourage other businesses in Nova Scotia to take action within their workplaces.

Viki Samuels, Coordinator of Race Relations and Affirmative Action at the Nova Scotia Human Rights Commission, presents a Human Rights Award to Janice DeLange-Hamilton, Chair of the Workplace Rights Committee, and Gordon Laing, President and CEO of Crossley Carpet Mills Ltd.

**Creating awareness through music: The Shining Lights Choir, Halifax**

Awarded on Human Rights Day, December 10th, 2000 (Halifax)

The Human Rights Commission presented the Shining Lights Choir with a Human Rights Award for creating awareness around the issues of homelessness and poverty. The choir was established in 1997 as a program offered by the Metro Non-Profit Housing Association. Members of the choir include participants of the Housing Support Centre, tenants of Metro Non-Profit Housing, staff, and other supporters. Under the direction of David McDow, the Shining Lights Choir performs traditional and spiritual works, as well as songs composed by choir members. The choir has performed at dozens of churches, special events, celebrations, and memorials—a testament to the dedication of its members. The award was presented on Human Rights Day, December 10, 2000, where commemorations also recognized the International Decade for the Eradication of Poverty (1997–2006).

**Promoting self-esteem and awareness of human rights: Youth Speaks Up!, Cape Breton Regional Municipality**

Awarded on the International Day for the Elimination of Racial Discrimination, March 21st, 2001 (Sydney)

On March 21st, 2001, the Commission presented Youth Speaks Up! with a Human Rights Award. The group is comprised of 75 grade six students from six different schools in the Sydney area. One Sunday each month, the group meets for lunch at the Delta Hotel in Sydney and listens to speakers discuss various topics and debates many issues, including those related to human rights and the dignity of all persons. The group's motto is "I can say no to drugs, alcohol, tobacco, violence, racism, and peer pressure". Youth Speaks Up! was founded and is directed by Dr. Jack Yazer who was described in a Chronicle Herald editorial as "one determined citizen who really cares" and as "one of Nova Scotia's most effective youth leaders." Dr. Yazer has been very active in the community and is a Companion of the Order of Canada.

**Activism through the arts: VOLITION, Pictou County**

Awarded on the International Day for the Elimination of Racial Discrimination, March 21, 2001(Halifax)

On March 21st, 2001, a Human Rights Award was presented to VOLITION, a youth-driven and youth-run dance group from Pictou County. The group performs on various human rights and social issues that are important to youth and the community, including drug abuse, gender equality, AIDS, spirituality, peer pressure, and racism. The group has performed at a number of events, including celebrations for International Women's Day, a dance festival at West Pictou High School, a youth variety show, and their own evening of music, song, and dance in Scotsburn, Nova Scotia.

**Bringing together the community: Henderson Paris, New Glasgow**

Awarded on Human Rights Day, December 10, 1999 (Halifax)

On December 10th, 1999, Henderson Paris was presented with a Human Rights Award for his on-going commitment to human rights through his annual "Run Against Racism" in New Glasgow. The run is held each year in recognition of the March 21st, the International Day for the Elimination of Racial Discrimination.

An award is presented to Youth Speaks Up! by the Nova Scotia Human Rights Commission. In the front row are members of Youth Speaks Up! In the back row is Human Rights Officer Gordon Hayes, Executive Director Mayann Francis, and Brendan Yazer, the son of founder of Youth Speaks Up!, Jack Yazer, who accepted a human rights award on his father's behalf.

**Remembering Nova Scotia's past: Black Loyalist Heritage Society**

Awarded on the International Day for the Elimination of Discrimination, March 21st, 2001

The Society has worked for the last decade to increase understanding and awareness of Black Loyalist communities in Nova Scotia. Its work was highlighted in 2000 with the announcement of federal and provincial funding to establish Canada's first Black Loyalist Heritage Tourism site at Birchtown in Shelburne County.

**Getting to the Issues: Human Rights Journalism Awards**

On Human Rights Day, December 10, 1999, Human Rights Journalism Awards were presented by the Commission to encourage and recognize excellence in human rights reporting. The recipients of the 1999 journalism awards were

- James Brooke, New York Times, print category special citation for his story "Lost History Found," an exploration of the history of Black Loyalists in Nova Scotia, as re-printed in the Chronicle-Herald on October 30, 1999
- Steve Sutherland, CBC Radio, broadcast category, for his story on proposed curfew for youth in the Cape Breton Regional Municipality as aired November 4, 1998

**Human Rights Bus Mural Awards**

Awards were presented to seven metro-area youth on Human Rights Day December 10th, 1999, for bus-murals they designed depicting human rights themes of importance to youth. The murals were displayed on Metro Transit buses. The award recipients were

- Jessica McCarthy, Amber Pratt, and Kendra Teal of A.J. Smeltzer Junior High, Lower Sackville, for the mural We're All Equal
- Carlette Gray of Graham Creighton Junior High, Cherry Brook, for We Need People of All Ages to Make Our World
- Ronnie Kennedy, Caledonia Junior High, Dartmouth, for Clean Environment with Clean Air and Fresh Water
- Lorna Reteff, Caledonia Junior High, Dartmouth, for Nobody Starves Unless We Let Them
- Matthew Hughson, Sir Robert Borden Junior High, Cole Harbour, for Live in an Environment with Fresh Air, Clean Water and No Pollution

# Appendices

## Appendix 1

**Executive Director's Speaking Engagements**
**April 1, 1999, to March 31, 2001**

| | |
|---|---|
| September 15, 1999 | Introduction to the Executive Director - presentation to N.S. Human Rights Commission Staff: "A View to the Future" |
| October 4, 1999 | Introduction to the Executive Director - presentation to Deputy Ministers: "A View to the Future" |
| October 13, 1999 | Remarks - Parent Teacher Student Association, West Kings District High School, Auburn: "Human Rights, Everybody's Business" |
| October 29, 1999 | Remarks, Black Cultural Society |
| November 4, 1999 | Opening remarks - Multicultural Association of Nova Scotia Conference, Community Voices: Providing Direction |
| November 6, 1999 | Presentation District 1 Sessions of the African United Baptist Association: "The Journey to Healing" |
| November 18, 1999 | Remarks - Interfaith Breakfast, Nova Scotia Human Rights Commission |
| November 22, 1999 | Introduction to the Executive Director-Nova Scotia Corporate Counsel Working Group: "A View to the Future" |
| December 10, 1999 | Keynote address, Human Rights Day |
| January 6, 2000 | Introduction to the Executive Director-Senior Managers - Dept. of Agriculture and Marketing: "A View to the Future" |
| January 11, 2000 | Introduction to the Executive Director-Disabled Persons' Commission: "A View to the Future" |
| January 16, 2000 | Remarks, The Salvation Army Church: "Reconciliation" |
| January 17, 2000 | Introduction to the Executive Director-Senior Managers - Dept. of Business & Consumer Affairs: "A View to the Future" |
| January 20, 2000 | Panelist - Human Rights, Reflections, Realities, Reasons: Human Rights Public Forum, The Nova Scotia Human Rights Commission |
| January 24, 2000 | Introduction to the Executive Director Senior Managers - Dept. of the Environment: "A View to the Future" |
| February 10, 2000 | Address - Law Hour, Dalhousie University. "Human Rights 2000 and Beyond: My Challenge" |
| February 12, 2000 | Keynote address - Black Cultural Society of N.S. - Rev. Dr. W.P. Oliver Night of Honour |
| February 21, 2000 | Introduction to the Executive Director-Senior Managers - Dept. of Technology & Science: "A View to the Future" |
| February 25, 2000 | Introduction to the Executive Director-Senior Managers - Public Prosecution Service: "A View to the Future" |
| February 28, 2000 | Introduction to the Executive Director-Senior Managers - Dept. of Justice: "A View to the Future" |
| March 8, 2000 | Introduction to the Executive Director-Senior Managers - Dept. of Transportation & Public Works: "A View to the Future" |
| March 21, 2000 | Remarks, International Day for the Elimination of Racial Discrimination |
| March 30, 2000 | Interfaith Council of Halifax |
| April 4, 2000 | Remarks, Atlantic Employers' Conference |
| April 11, 2000 | Presentation to Halifax Rotary Club: "It's Up to You" |
| April 15, 2000 | Award acceptance - Harry Jerome Award, Toronto, Ontario |
| May 2, 2000 | Introduction to the Executive Director-Senior Managers, Dept. of Natural Resources:"A View to the Future" |

| | |
|---|---|
| May 16, 2000 | Introduction to the Executive Director, Senior Managers -Dept. of Housing & Municipal Affairs: "A View to the Future" |
| May 23, 2000 | Presentation to Dartmouth K's (Kiwanis Club): "It's Up to You" |
| May 25, 2000 | Introduction to the Executive Director, Senior Managers, Dept. of Tourism and Culture: "A View to the Future" |
| May 30, 2000 | Citizenship Forum, Access Awareness Week: "Full Citizenship through Human Rights Legislation" |
| May 30, 2000 | Introduction to the Executive Director, Senior Managers, Workers' Compensation Board: "A View to the Future" |
| July 4, 2000 | Introduction to the Executive Director, Senior Managers, Dept. of Health. "A View to the Future" |
| July 6, 2000 | Presentation, African Nova Scotians in Science Workshop, Sydney: "Barriers: Real or Perceived" |
| August 6, 2000 | Remarks, Sydney-Toronto Reunion, St. Philip's African Orthodox Church, Sydney, N.S. |
| August 12, 2000 | South African Women and Women's Annual Award Ceremony, Toronto. Presentation of Award to Shanthie Naidoo |
| September 17, 2000 | Remarks, Victoria Road United Baptist Church, Women's Day, Dartmouth. Theme: Great is the Lord |
| September 18, 2000 | Remarks for Diversity Week (September 17-23)- Executive & Senior Staff, Halifax Regional Municipality |
| October 11, 2000 | Keynote Address, Preston Area Board of Trade, World Trade & Convention Centre, Halifax |
| October 14, 2000 | Congress of Black Women of Canada (award acceptance speech) - Dartmouth, Preston, Cherry Brook, Lake Loon Chapter |
| October 20, 2000 | Opening remarks, "The Faces of Poverty: Borrowing from the Past, Learning from the Present, Planning for the Future" |
| November 4, 2000 | Congratulatory remarks on the Occasion of 25th Anniversary of the Multi-Cultural Association of Nova Scotia. Anniversary Dinner. |
| November 15, 2000 | Remarks, Breast Feeding Policy Information Session, Royal Canadian Legion, Digby, N.S. |
| November 28, 2000 | Remarks to the United Way Nova Scotia |
| January 26, 2001 | Remarks, Open House, Nova Scotia Human Rights Commission |
| February 1, 2001 | Keynote address, "547 Days on the Road to a Dream," Nova Scotia Human Rights Commission Public Forum: What is the Future for Human Rights in Nova Scotia?" |
| February 2, 2001 | Keynote address, "Towards Healing for our Fragmented Society," Regal Road United Baptist Church, Dartmouth - African Heritage Month Event |
| February 18, 2001 | "Diamonds or Marshmallows," altar Guild, St. Philip's African Orthodox Church, Sydney, Nova Scotia - African Heritage Month Event |
| February 25, 2001 | Keynote address, Victoria Road United Baptist Church:"We Survived, Let's Strive" |
| March 7, 2001 | Remarks, University College of Cape Breton - Affirmative Action Agreement Signing |
| March 21, 2001 | Keynote speech - Sydney Harmony Brunch for the International Day for the Elimination of Racial Discrimination |

# Appendix 2

## Formal Complaint Statistics 1999–2000 - Employment

| | Resolved/ Settled | Withdrawn/ Abandoned | Discontinued | Board of Inquiry | Ongoing | TOTAL complaints | Not Pursued | Sucessful Interventions |
|---|---|---|---|---|---|---|---|---|
| Race/Colour | 5 | 1 | 5 | - | 16 | 27 | 5 | 5 |
| Religion/Creed | 1 | - | - | 1 | 2 | 4 | - | - |
| Aboriginal Origin | - | - | - | - | - | - | - | - |
| Ethnic/National Orig | - | 2 | - | - | 12 | 14 | - | 1 |
| Sex (Gender) | 8 | 5 | 7 | 1 | 18 | 39 | 2 | 3 |
| Pregnancy | 14 | 4 | 1 | 2 | 14 | 35 | 1 | 2 |
| Sexual Harassment | 13 | 9 | 5 | 1 | 25 | 53 | - | 4 |
| Sexual Orientation | - | - | - | - | 4 | 4 | - | - |
| Physical Disability | 9 | 5 | 6 | 3 | 38 | 61 | 7 | 7 |
| Mental Disability | 2 | 1 | 2 | 1 | 10 | 16 | 2 | 1 |
| Marital Status | - | - | 2 | 1 | 7 | 10 | - | 1 |
| Family Status | 1 | 3 | 4 | 2 | 1 | 11 | - | 3 |
| Age | 1 | 1 | 2 | - | 7 | 11 | - | 1 |
| Source of Income | - | - | - | - | - | - | - | - |
| Political | - | 1 | 3 | - | 7 | 11 | 2 | - |
| Association | - | - | - | - | 1 | 1 | - | - |
| Irrational Fear | - | - | - | - | - | - | - | - |
| Retaliation | 3 | - | 2 | 1 | 8 | 14 | 1 | 1 |
| **TOTAL** | **57** | **32** | **39** | **13** | **170** | **311** | **20** | **29** |

# Formal Complaint Statistics 1999–2000 - Services

| | Resolved/ Settled | Withdrawn/ Abandoned | Discontinued | Board of Inquiry | Ongoing | TOTAL complaints | Not Pursued | Sucessful Interventions |
|---|---|---|---|---|---|---|---|---|
| Race/Colour | 2 | 1 | 2 | - | 11 | 16 | 6 | 4 |
| Religion/Creed | - | - | - | - | - | - | - | - |
| Aboriginal Origin | - | - | - | - | 1 | 1 | 3 | 3 |
| Ethnic/National Orig | - | - | - | - | - | - | 2 | 2 |
| Sex (Gender) | 2 | - | 2 | - | 2 | 6 | 1 | 1 |
| Pregnancy | - | - | - | - | - | - | - | - |
| Sexual Harassment | 1 | - | - | - | - | 1 | 1 | - |
| Sexual Orientation | - | - | - | - | 1 | 1 | 2 | - |
| Physical Disability | 1 | - | - | 1 | 3 | 5 | 7 | 7 |
| Mental Disability | - | - | 1 | - | - | 1 | 3 | 2 |
| Marital Status | - | - | - | - | - | - | 2 | - |
| Family Status | 1 | - | - | - | 1 | 2 | - | - |
| Age | - | - | - | 1 | - | 1 | 3 | 2 |
| Source of Income | - | - | 1 | - | - | 1 | 1 | - |
| Political | - | - | - | - | - | - | - | - |
| Association | - | - | - | - | - | - | - | - |
| Irrational Fear | - | - | - | - | - | - | - | 1 |
| Retaliation | - | - | - | - | - | - | 1 | - |
| **TOTAL** | **7** | **1** | **6** | **2** | **19** | **35** | **32** | **22** |

## Formal Complaint Statistics 1999–2000 - Accommodation

| | Resolved/ Settled | Withdrawn/ Abandoned | Discontinued | Board of Inquiry | Ongoing | TOTAL complaints | Not Pursued | Sucessful Interventions |
|---|---|---|---|---|---|---|---|---|
| Race/Colour | - | - | - | - | - | - | - | - |
| Religion/Creed | 2 | 1 | 1 | - | - | 4 | - | 1 |
| Aboriginal Origin | 1 | - | - | - | - | 1 | - | - |
| Ethnic/National Orig | - | - | - | - | - | - | - | - |
| Sex (Gender) | - | - | - | - | - | - | - | - |
| Pregnancy | - | - | - | - | - | - | - | - |
| Sexual Harassment | - | - | - | - | - | - | - | - |
| Sexual Orientation | - | - | - | - | - | - | - | - |
| Physical Disability | - | - | - | - | - | - | - | - |
| Mental Disability | - | - | - | - | - | - | - | - |
| Marital Status | - | - | - | - | - | - | - | - |
| Family Status | - | - | - | - | - | - | - | - |
| Age | - | - | - | - | - | - | - | - |
| Source of Income | - | - | - | - | - | - | - | - |
| Political | - | - | - | - | - | - | - | - |
| Association | - | - | - | - | - | - | - | - |
| Irrational Fear | - | - | - | - | - | - | - | - |
| Retaliation | - | - | - | - | - | - | - | - |
| **TOTAL** | **3** | **1** | **1** | **-** | **-** | **5** | **-** | **1** |

## Formal Complaint Statistics 1999–2000 - Volunteer/Public Service

| | Resolved/ Settled | Withdrawn/ Abandoned | Discontinued | Board of Inquiry | Ongoing | TOTAL complaints | Not Pursued | Sucessful Interventions |
|---|---|---|---|---|---|---|---|---|
| Age | - | - | 1 | - | - | 1 | - | - |
| **TOTAL** | **-** | **-** | **1** | **-** | **-** | **1** | **-** | **-** |

# Appendix 3

## Formal Complaint Statistics 2000-2001 - Employment

| | Resolved/ Settled | Withdrawn/ Abandoned | Discontinued | Board of Inquiry | Ongoing | TOTAL complaints | Not Pursued | Sucessful Interventions |
|---|---|---|---|---|---|---|---|---|
| Race/Colour | 2 | - | 9 | - | 18 | 29 | 14 | 4 |
| Religion/Creed | 1 | - | 2 | - | - | | 3 | - |
| Aboriginal Origin | - | - | - | - | 6 | 6 | 1 | 2 |
| Ethnic/National Origin | 2 | - | 6 | - | 5 | 13 | 4 | 2 |
| Sex (Gender) | 7 | - | 5 | - | 13 | 25 | 4 | 2 |
| Pregnancy | 10 | 2 | 6 | 1 | 9 | 28 | 6 | 3 |
| Sexual Harassment | 11 | 1 | 5 | 1 | 11 | 29 | 8 | 3 |
| Sexual Orientation | 1 | - | - | | - | 4 | 5 | - |
| Physical Disability | 9 | 3 | 7 | 1 | 35 | 55 | 13 | 4 |
| Mental Disability | 2 | - | 1 | - | 19 | 22 | 4 | - |
| Marital Status | 5 | - | 1 | - | 1 | 7 | 1 | - |
| Family Status | 3 | - | 1 | - | 3 | 7 | 2 | - |
| Age | 1 | - | 5 | - | 2 | 8 | 2 | - |
| Source of Income | - | - | - | - | - | - | - | |
| Political | 2 | 1 | 2 | 1 | 1 | 7 | 1 | - |
| Association | 1 | - | - | - | - | 1 | - | - |
| Irrational Fear | 1 | - | - | - | 1 | 2 | - | - |
| Retaliation | 3 | - | 2 | - | 2 | 7 | - | - |
| **TOTAL** | **61** | **7** | **52** | **4** | **130** | **254** | **60** | **20** |

** At the end of the fiscal year 2000-01, an additional 39 files under the area of employment were being reviewed to determine the manner in which the Commission should proceed.*

## Formal Complaint Statistics 2000-2001 - Services

| | Resolved/ Settled | Withdrawn/ Abandoned | Discontinued | Board of Inquiry | Ongoing | TOTAL complaints | Not Pursued | Sucessful Interventions |
|---|---|---|---|---|---|---|---|---|
| Race/Colour | - | - | 6 | 1 | 8 | 15 | 6 | 2 |
| Religion/ Creed | - | - | - | - | - | - | - | - |
| Aboriginal Origin | 1 | - | - | 2 | | 3 | 2 | - |
| Ethnic/National Origin | - | - | 1 | - | 1 | 2 | 2 | - |
| Sex (Gender) | 1 | - | 1 | - | 3 | 5 | 1 | 1 |
| Pregnancy | - | - | - | - | 1 | 1 | - | - |
| Sexual Harassment | - | - | - | - | 1 | 1 | - | - |
| Sexual Orientation | - | - | - | - | - | - | - | 1 |
| Physical Disability | 3 | - | 1 | - | - | 4 | 5 | 4 |
| Mental Disability | - | - | - | - | - | - | 2 | 1 |
| Marital Status | - | - | - | - | - | - | - | 1 |
| Family Status | - | - | 1 | - | 1 | 2 | - | - |
| Age | - | - | - | - | 1 | 1 | - | - |
| Source of Income | - | - | - | - | - | - | - | - |
| Association | - | - | - | - | 2 | 2 | - | - |
| Political | - | - | - | - | 1 | 1 | - | - |
| Irrational Fear | - | - | 1 | - | - | 1 | - | - |
| Retaliation | - | - | - | 1 | - | 1 | - | - |
| **TOTAL** | **5** | **-** | **11** | **2** | **21** | **39** | **18** | **10** |

*** At the end of the fiscal year 2000-01, an additional 27 files under the area of services were being reviewed to determine the manner in which the Commission should proceed.*

## Formal Complaint Statistics 2000-2001 - Accommodation

| | Resolved/ Settled | Withdrawn/ Abandoned | Discontinued | Board of Inquiry | Ongoing | Total Formal complaints | Not Pursued | Sucessful Interventions |
|---|---|---|---|---|---|---|---|---|
| Race/Colour | - | - | - | - | 2 | 2 | 2 | 1 |
| Religion/Creed | - | - | - | - | - | - | - | - |
| Aboriginal Origin | - | - | - | - | - | - | 1 | 1 |
| Ethnic/National Origin | - | - | - | - | - | - | 1 | - |
| Sex (Gender) | - | - | - | - | - | - | - | 1 |
| Pregnancy | - | - | - | - | - | - | - | - |
| Sexual Harassment | - | - | - | - | - | - | - | - |
| Sexual Orientation | - | - | - | - | - | - | - | - |
| Physical Disability | - | - | - | - | - | - | 2 | 1 |
| Mental Disability | - | - | - | - | - | - | - | 1 |
| Marital Status | - | - | - | - | 2 | 2 | - | - |
| Family Status | - | - | - | - | 1 | 1 | - | - |
| Age | - | - | - | - | - | - | - | - |
| Source of Income | - | - | - | - | - | | - | 1 |
| Political | - | - | - | - | - | - | - | - |
| Association | - | - | - | - | - | - | - | - |
| Irrational Fear | - | - | - | - | - | - | - | - |
| Retaliation | - | - | - | - | - | - | - | - |
| **TOTAL** | **-** | **-** | **-** | **-** | **5** | **5** | **6** | **6** |

*At the end of the fiscal year 2000-01, there were two files in the area of Volunteer/Public Service that were being reviewed to determine the manner in which the Commission should proceed.*

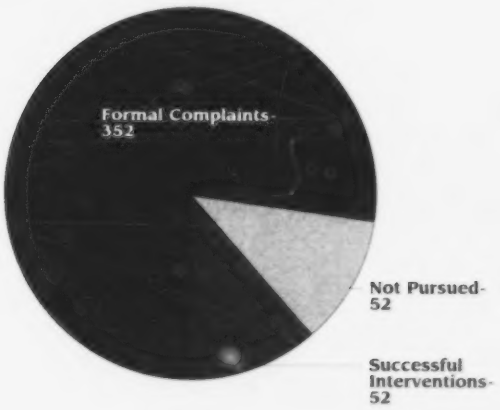
## Formal Complaint Statistics 2000-2001 - Professional Assocations

| | Resolved/ Settled | Withdrawn/ Abandoned | Discontinued | Board of Inquiry | Ongoing | Total Formal complaints | Not Pursued | Sucessful Interventions |
|---|---|---|---|---|---|---|---|---|
| Gender | - | - | - | - | 1 | 1 | - | - |

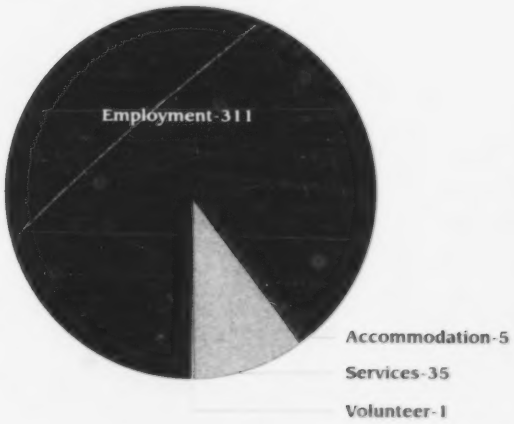
# Appendix 4

## 1999–2000

### Classification of Files

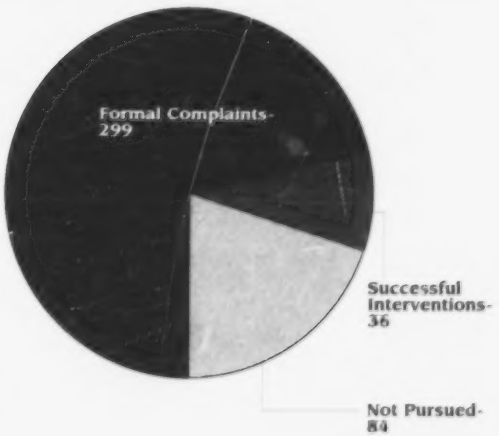



### Complaints by Area

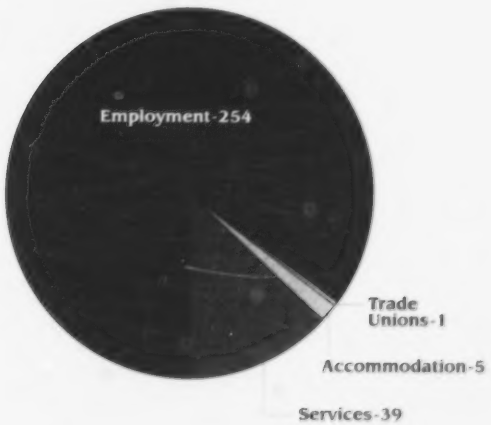



## 2000-2001

### Classification of Files



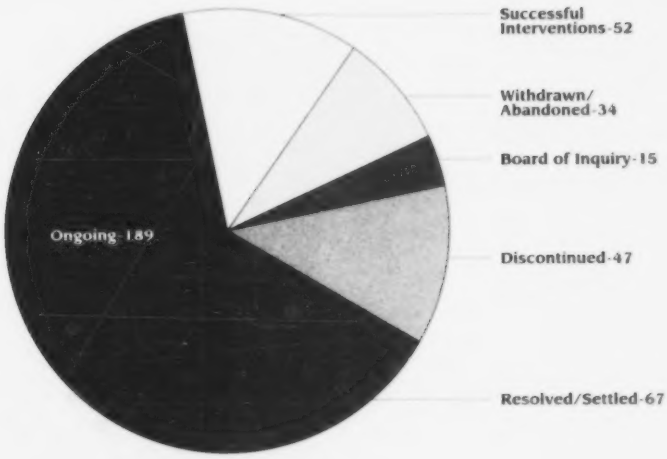

### Complaints by Area



# Appendix 5

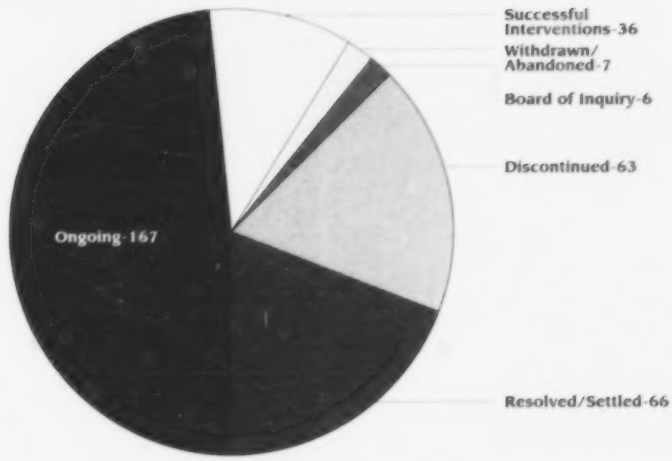
## 1999-2000

**Disposition of Complaints**




## 2000-2001

**Disposition of Complaints**




**Ongoing:** Files being investigated

**Resolved/Settled:** Complaints settled in a manner acceptable to all parties

**Discontinued:** Closed by the Assessment Team or Commissioners

**Board of Inquiry:** Complaints appointed to a Board of Inquiry

**Withdrawn/Abandoned:** The complaint was withdrawn or abandoned by the complainant

**Successful Interventions:** Matters settled without proceeding to a formal complaint.

# Contact Information

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**Digby Regional Office**
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**Sydney Regional Office**
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**New Glasgow Regional Office**
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**E-mail**
Nova Scotia Human Rights Commission
hrcinquiries@gov.ns.ca

**Website**
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